

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

TYLER FEE	)	
	)	
Plaintiff(s),	)	Cause No.:
	)	
v.	)	Circuit Court of Cole County
	)	Cause No. 15BU-CV02918
BUCHANAN COUNTY, MO, et al.	)	
	)	JURY TRIAL DEMANDED
Defendant(s).	)	
	)	
	)	
	)	

**NOTICE OF REMOVAL**

COME NOW Defendants Advanced Correctional Healthcare, Inc., Norman Johnson, M.D., Zachary Grimes, R.N., Gregory Rakestraw, M.D., Jay A. Riseman, M.D., Christy Barron, LPN, and Ann Slagle, LPN (hereinafter “these Defendants”), by and through their attorneys, Eckenrode-Maupin, Attorneys at Law, and, for their Notice of Removal of the above-captioned action to the United States District Court for the Western District of Missouri, Central Division, under 28 U.S.C. Section 1441, state:

1. On August 27, 2015, Plaintiff Tyler Fee filed a Petition in the Circuit Court of Buchanan County, Cause No.: 15BU-CV02918.
2. This matter is a civil action arising under the Constitution, laws, or treatises of the United States.
3. This matter involves a substantial federal issue, which is articulated as a part of the Plaintiff’s Petition.

4. The federal question involved in this matter appears on the face of the Plaintiff's Petition.

5. The Plaintiff's Petition reflects that the plaintiff claims that the various defendant(s) violated the plaintiff's 14<sup>th</sup> Amendment rights under the United States of America Constitution and further claims that the defendants are liable under 42 U.S.C. Section 1983.

6. Based on the above, a federal question appears on the face of the plaintiff's Petition, as is required by Section 1331, 1441, and 1442 of Title 28 of the U.S. Code.

7. This Notice of Removal has been filed within 30 days of these Defendants' receipt of a copy of Plaintiff's Petition, and therefore, this Notice of Removal has been timely filed under 28 U.S.C. Sections 1441 and 1446.

8. Because there is a federal question, removal to the United States District Court, which has jurisdiction over the claims raised by plaintiff herein, is proper under 28 U.S.C. Sections 1331, 1441, and 1446. These Defendants are following 28 U.S.C. Section 1446 in filing the removal in the federal court which encompasses the state court in which the Petition was filed.

9. A copy of the Notice was e-filed and mailed to the state court and all parties on September 24, 2015.

10. Attached hereto is a copy of the Petition that was served upon these Defendants.

11. Counsel for these Defendants have been in contact with the counsel for the remaining Defendants, who advised that they do not object to removal of this case to federal court.

WHEREFORE, Defendants Advanced Correctional Healthcare, Inc., Norman Johnson, M.D., Zachary Grimes, R.N., Gregory Rakestraw, M.D., Jay A. Riseman, M.D., Christy Barron, LPN, and Ann Slagle, LPN respectfully request this Court to accept jurisdiction of this action.

/s/ J. Thaddeus Eckenrode

J. Thaddeus Eckenrode MoBar #31080  
ECKENRODE-MAUPIN, Attorneys at Law  
8000 Maryland Ave., Ste. 1300  
St. Louis, MO 63105  
(314) 726-6670 (Telephone)  
(314) 726-2106 (Fax)  
jte@eckenrode-law.com  
*Attorney for Defendant(s) Advanced  
Correctional Healthcare, Inc., Norman  
Johnson, M.D., Zachary Grimes, R.N.,  
Gregory Rakestraw, M.D., Jay A. Riseman,  
M.D., Christy Barron, LPN, and Ann Slagle,  
LPN*

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via electronic mail on this 24th day of September, 2015 to the following:

**Russell C. Purvis**  
Montee Law Firm, P.C.  
10200 Homes Road  
Kansas City, MO 64131  
*Attorney for Plaintiff(s) Tyler Fee*

**David S. Baker**

Fisher, Patterson, Sayler & Smith

KCMO

9229 Ward Parkway, Suite 370

Kansas City, MO 64114

*Attorney for Defendants Buchanan County, Missouri, Commissioner Harry Roberts,  
Commissioner Dan Hausman, Commissioner Ron Hook, Sheriff Mike Strong, Captain  
Jody Hovey, and Corporal Eric McMillen*

/s/ Janice Gallaher